

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/886,055 Confirmation No. : 6876
Applicant : LUBERT STRYER, et al.
Filed : June 22, 2001
TC/A.U. : 1634
Examiner : G. A. Goldberg
Docket No. : 100337.54258US
Customer No. : 23911
Title : RECEPTOR FINGERPRINTING, SENSORY PERCEPTION,
AND BIOSENSORS OF CHEMICAL SENSANTS

ELECTION

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed on September 30, 2003, Applicants elect with traverse group I, claims 1-11 directed to a method of representing sensory perception. Further, as the elected olfactory species, Applicants elect the gene sequence referred to as A0LFR29 in the subject application. This corresponds to the DNA and amino acid sequences contained in SEQ ID NO's 55 and 56 respectively.

The restriction requirement is traversed on two distinct bases. First, with respect to the elected method, Applicants' invention pertains to a fingerprinting method for representing sensory perception of one or more odorants, the efficacy of which resides in an assay which utilizes a collection or library of different touch receptors (selected from the 255 human receptors disclosed in the subject

application). Therefore, Applicants respectfully submit that they should not have to elect a single OR sequence since the recited method uses a combination of different human OR sequences. At the very least, Applicants submit that Group I examined to its full and correct extent, namely Applicants submit that all the OR sequences should be part of the assay recited in Group I.

Secondly, Applicants respectfully submit that all of the methods corresponding to Group I, II, V, VI, VIII and X should be examined together since they all are related methods for identifying or representing the sensory perception of specific compounds based on their pattern and/or nature of interaction with a collection of human OR Sequences corresponding to SEQ ID NO's 1-512 disclosed in the subject application.

Applicants respectfully advise that the novelty and non-obviousness of the invention does not reside in any specific OR (since these sequences are separately claimed in an earlier patent application, incorporated by reference in the subject application), but rather pertains to assay methods that utilize a specific collection of human OR sequences disclosed herein.

Based on the foregoing, modification of the Restriction Requirement to examine all the method claims, and to further withdraw the Election of Species Requirement is respectfully requested.

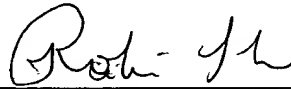
It is believed that this is a complete response to the outstanding restriction and election of species requirement. Favorable examination on the merits is respectfully requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #10033754258US).

March 16, 2004

Respectfully submitted,



Robin L. Teskin
Registration No. 35,030

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844